

Notice of Allowability

Application No.

10/816,945

Examiner

Stanley J. Pruchnic, Jr.

Applicant(s)

PRIMDAHL ET AL.

Art Unit

2859

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 19 December 2005.
2. ☒ The allowed claim(s) is/are 1-7,9-12.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |


GAIL VERBITSKY
PRIMARY EXAMINER

DETAILED ACTION

Response to Arguments

1. Applicant's amendment filed on 19 December 2005 has been entered.

Applicant's response to the rejection of the last Office action places the application in condition for allowance, and, therefore, the finality of that action is withdrawn.

Applicant's arguments, see REMARKS, filed 19 December 2005, as applied to the amended claims have been fully considered and are persuasive for the reasons stated in the Interview Summary filed 17 November 2005. The rejection(s) of Claims 1-3, 5, 7 and 9-12 have been withdrawn.

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance:

Regarding **Claim 4**, please see Paragraph 9 of the Office Action filed 11 October 2005, *i.e.*, to summarize, since the thermowell of **SCHLIEPHAKE** is in the catalyst bed, Examiner agreed that it cannot be modified to function as claimed by Applicant, to measure the temperature behind an inner surface of the reactor wall, which would be outside of the process volume in the reactor of **NAJJAR**. If it were moved to a location behind an inner surface of the reactor wall in the reactor of **NAJJAR**, then the thermowell would no longer necessarily be covered by a layer of a catalytic material of the catalyst bed as claimed by Applicant.

Regarding **Claim 6**, please see Paragraph 8 of the Office Action filed 11 October 2005, *i.e.*, to summarize, since the thermowell of **SCHLIEPHAKE** is in the catalyst bed, it cannot be used to measure the temperature upstream of the catalyst bed as claimed, since it would no longer be covered by a layer of a catalytic material.

Claims 1, 10 and 12 are allowable because the prior art fails to teach or fairly suggest a method or temperature measurement instrument as claimed by Applicant wherein a layer of a catalytic material is formed on and at least partly covers the

thermowell, and wherein the layer of catalytic material is active in at least one endothermic catalyzing steam reforming reaction, including the limitation of inserting the thermowell into a reactor wall so that the tip of the thermowell does not penetrate an inner chamber of the reactor, as defined in the claims, each arranged and functioning as recited in Claims 1, 10 and 12, in combination with the other limitations of the respective claims. Claims 2, 3, 5, 7, 9 and 11 are allowable by virtue of their dependency upon Claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stanley J. Pruchnic, Jr., whose telephone number is **(571) 272-2248**. The examiner can normally be reached on weekdays (Monday through Friday), the best hours being from 8:30 AM to 4:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego Gutierrez (Art Unit 2859) can be reached at **(571) 272-2245**. The Central FAX Number for all official USPTO communications is **571-273-8300**.

4. Any inquiry of a general nature or relating to the status of this application or proceeding may be directed to the official USPTO website at <http://www.uspto.gov/> or you may call the **USPTO Call Center** at **800-786-9199** or 703-308-4357. The Technology Center 2800 Customer Service FAX phone number is (703) 872-9317.

The cited U.S. patents and patent application publications are available for download via the Office's PAIR. As an alternate source, all U.S. patents and patent application publications are available on the USPTO web site (www.uspto.gov), from the Office of Public Records and from commercial sources.

Private PAIR provides external customers Internet-based access to patent application status and history information as well as the ability to view the scanned images of each customer's own application file folder(s).

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5. For inquiries relating to Patent e-business products and service applications, you may call the *Patent Electronic Business Center (EBC)* at 703-305-3028 or toll free at 866-217-9197 between the hours of 6 a.m. and midnight Monday through Friday EST, or by e-mail at: ebc@uspto.gov. Additional information is available on the Patent EBC Web site at: <http://www.uspto.gov/ebc/index.html>.



Stanley J. Pruchnic, Jr.
12/29/05